

MINUTES OF THE STATE ETHICS COMMISSION MEETING
FRIDAY, DECEMBER 7, 1990
11:00 A.M.

ROOM 132, STATE CAPITOL - ATLANTA, GA

The State Ethics Commission met on Friday, December 7, 1990 at 11:00 A.M. in Room 132, State Capitol.

MEMBERS PRESENT:

Mr. Jerry Sanders - Chairman
Mrs. Mozelle D. Clemmons
Mr. George Reid
Mrs. Velma C. Tilley

Others present included: Mr. C. Theodore Lee, Executive Secretary for the Commission; Mrs. Harriette Bell, member of the staff of the Commission; Mr. Michael Hobbs, Senior Assistant Attorney General; Mr. Verley Spivey, Deputy Secretary of State; Ms. Jeri Cloud, Office of Secretary of State; Ms. Carol Dabbs, Office of Secretary of State; Ms. Kathy Drake, Office of Secretary of State; Ms. Mable F. Harris, Recording Secretary, State Elections Division, Office of Secretary of State; Mr. Walter T. Phelps, Lee County; Mr. Henry Gibson, Lee County; Mr. W. H. Chambers, Lee County; Mrs. Lena D. Earley, Chairperson, Fannin County Democratic Party; Mr. George M. Earley, Chairman, Fannin County Board of Registration and Elections; Mr. Larry Engle, Tim Ryles' Campaign; Mr. David Shafer, Billy Lovett's Campaign; Mr. Mitchell Williams, former candidate; Mrs. Frances R. Birdsong, complainant; Ms. Sandra W. Scott; and Mr. Jim Kulstad, Common Cause.

READING AND APPROVAL OF MINUTES OF OCTOBER 19, 1990 - Mr. Sanders stated that the minutes of the October meeting would be approved at the next meeting of the Commission pending the necessary amendments.

PRESENTATION BY DEPUTY SECRETARY OF STATE, VERLEY J. SPIVEY - Mr. Lee stated that he had recently met with Mr. Spivey to discuss proposed new ethics legislation and felt that it was appropriate for the Commission to be involved in any changes in this legislation.

Mr. Spivey made a presentation concerning recommended changes by the Secretary of State's VISION 2000 Task Force which they felt would strengthen the current ethics legislation. However, he felt that a joint effort should be made by the Secretary of State's Office and the State Ethics Commission to take a long-range approach to make a determination as to what changes should be made. Mr. Spivey said that with the agreement of the Commission, Secretary Cleland would like to establish a study committee to undertake a lengthy review of the ethics legislation. No major changes are anticipated during the 1991 Session of the General Assembly.

After discussion, Mr. Sanders expressed the desire of the Commission to participate in the study for any recommended changes.

COMPLAINTS FILED WITH THE COMMISSION

Frances R. Birdsong against Helen G. Hudson:

Ms. Birdsong was present, but Ms. Hudson had informed Mr. Lee that she would be unable to attend due to a previous commitment in New Orleans, and asked that the case be continued until the next meeting. She indicated that a written response to the complaint would be filed.

Ms. Birdsong had alleged that Ms. Hudson, Mayor of Sparta, had violated the Ethics In Government Act by promoting a candidate for Governor at the city's expense by utilizing the city's stationery and postage to encourage residents to attend a \$250 per person fund raising event. It was also alleged that a city employee's time was spent in this effort. Ms. Birdsong had supported her allegations by furnishing a copy of the letter mailed by the Mayor along with various newspaper clippings concerning the violations.

Mr. Lee stated that on a visit to Sparta, he interviewed Mr. Tony Poss, Special Projects Coordinator for the city, and also wastewater plant manager for the city of Sparta. Mr. Poss advised Mr. Lee that he had reimbursed the city for postage from personal funds and indicated that he spent less than a week of his city time on this event, and that he had proposed in writing to pay back the city for the time he spent on the event.

The Commission agreed to continue this case until the next meeting. Ms. Birdsong will be notified of the meeting, but will not be required to attend.

Mitchell Williams against Johnny Isakson and Zell Miller:

Mr. Williams was present.

Mr. Williams had alleged that Messrs. Isakson and Miller had conspired with others to exclude him from participating in media debates. Additionally, Mr. Lee stated that Mr. Williams recently amended his complaint to allege that the candidates had failed to disclose in-kind contributions in regard to the public forums which they invited to serve as participants.

Mr. Williams was given the opportunity to present his case.

Mr. Hobbs, Senior Assistant Attorney General, advised that the issues raised by Mr. Williams' complaints had been decided adversely to the complainants' contentions in the case of Walker Chandler v. Georgia Public Telecommunications Commission, et al., Civil Action No. 1:90-CV-2040-MHS, U.S. District Court for the Northern District of Georgia, Atlanta Division.

Following a discussion by Commission members, it was agreed that Mr. Sanders and Mr. Lee would appear before the Joint House/Senate Committee at their next meeting on January 7th to make a presentation on behalf of the Commission.

ANNUAL REPORT TO THE GOVERNOR

Commission members had been furnished a copy of the Annual Report to the Governor covering the period July 1, 1989 - June 30, 1990.

It was moved by Mrs. Clemmons that the Annual Report to the Governor, and the proposed legislation to be requested during the 1991 session of the Georgia General Assembly as set out in the Annual Report, be approved as prepared and presented by Mr. Lee. Seconded by Mr. Reid. Carried unanimously.

REPORT OF EXECUTIVE SECRETARY

Mr. Lee stated that numerous reports had been received from county and municipal level filing officers; 147 warning letters had been sent out; 6 sworn complaints had been received; and statements had been received from 24 counties that had not complied in 1989. Statement reporting for 1990 is 100% from counties with respect to Financial Disclosure Statements.

Further in his report, Mr. Lee stated that when he met with the House Appropriations Committee, he was asked for ways that the current budget could be cut by 4%.

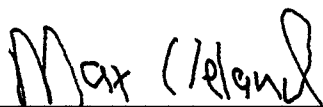
Mr. Lee then announced that he had recently attended the training sessions sponsored by the Georgia Municipal Association and the Association of County Commissioners of Georgia. Future meetings will be held with the Public Affairs Council, the newly elected city officials, city clerks, and probate judges.

In concluding his report, Mr. Lee stated that Mrs. Bell and Mrs. Dowell had not received salary increases other than the 2.5% cost of living increase; therefore, he recommended that Mrs. Bell's salary be increased to \$34,623, and Mrs. Dowell's salary be increased to \$28,044, in the next fiscal budget.

Commission members then commended Mr. Lee for the outstanding job that he is fulfilling for the Commission.

The next meeting of the Commission will be held on Friday, January 25, 1991 in the Board of Regents Room if available, or alternatively, in the Conference Room of the Archives Division.

The meeting adjourned at 1:00 P.M.



Max Cleland, Secretary
State Ethics Commission